



STATE OF IDAHO
DEPARTMENT OF
ENVIRONMENTAL QUALITY

1410 North Hilton • Boise, Idaho 83706 • (208) 373-0502
www.deq.idaho.gov

C.L. "Butch" Otter, Governor
John H. Tippetts, Director

January 4, 2019

Jason Evens, General Manager
U.S. Ecology Idaho, Inc.
P.O. Box 400
Grand View, ID 83624

CERTIFIED MAIL #:7016 0750 0000 2170 4398
RETURN RECEIPT REQUESTED

RE: Contingency Plan Review
U.S. Ecology Idaho Inc. (USEI) Site B
US EPA ID No.: IDD073114654

Dear Mr. Evens:

The Department of Environmental Quality (DEQ) has reviewed the revised Contingency Plan, submitted via email on December 18, 2018, and prepared a review document with items to be addressed by US Ecology. DEQ has not received a written report reviewing the adequacy of how the Contingency Plan worked or did not work; consequently additional comments may be forth coming after receiving the Plan review. Please submit a written response to each item with a revised version of the Contingency Plan. The Contingency Plan Review is enclosed with this letter.

If you have any questions or comments, please contact Lon Stewart at (208) 373-0547.

Sincerely,

A handwritten signature in cursive script that reads "Natalie Creed".

Natalie Creed
Hazardous Waste Unit Manager
Waste Management and Remediation Division

Enclosure: January 4, 2019 Contingency Plan Review

cc: Barbara McCullough, EPA Region 10
Esbpc16/Lon Stewart, DEQ State Office
Albert Crawshaw, DEQ Boise Regional Office



US Ecology Site B

January 4, 2019 Contingency Plan Review

IDAPA 58.01.05.008[40 CFR 264.54]

The Contingency plan must be reviewed whenever the facility changes, due to operation, maintenance, or other conditions. In USEI's review, how did the Plan work? Was an emergency coordinator (EC) present on site? If not, was an onsite alternate EC designated and how was that person aware of his/her status? If no one on site was designated, was the EC or his designee immediately available? Were appropriate persons/agencies notified by the EC? Did employees follow the evacuation plans? Was response equipment readily available? Were records available? Were response services prepared to perform their services? Provide a review and analysis of how the implementation of the Contingency Plan worked or did not work.

Section G.0

Each location should have a site specific Contingency Plan, it is good to remove references to the Rail Transfer Facility. If it has not been done, a contingency plan for the Rail Transfer Facility (RTF) needs to be developed.

Section G.2

The Plan states that an emergency coordinator "is present at USEI during normal business hours when hazardous wastes are being handled." What is meant by "normal business hours"? Typically, "business hours" are defined as Monday through Friday, 8:00 a.m. to 5:00 p.m. but "normal business hours" for the site has not been defined, especially when used in conjunction with "when hazardous wastes are being handled." The first sentence of paragraph 2 can easily be interpreted to mean that if employees were assigned work tasks during hours when the facility would normally operate, whether Monday through Friday or Saturdays and Sundays, and hazardous waste was being actively managed or processed, then an emergency coordinator needs to be present. On November 17 at 9:23 am, as wastes were being treated, who was the emergency coordinator? Did that person know he/she was the emergency coordinator? How did the rest of the working employees know who was the emergency coordinator? Did the emergency coordinator coordinate responses to the event and offer knowledge and/or resources when other services arrived on scene? If the EC or his designee was not on site during the November incident, policies need to be changed to ensure that the level of authority is on site to quickly react to an emergency situation.

Section G.4

Describe how a person in possession of a mobile radio will be aware or notified that a power outage has occurred rendering the radio transponder useless and know when it is appropriate to switch to Channel 2 or TA.

Explain why sirens and strobe lights have been removed as notification devices for an emergency. Providing a battery or generator backup powered strobe light or rotating beacon may offer another source of notification especially if employees are working in a noisy environment where an air horn may be hard to hear.

Section G.4.b

The Plan states information used to identify wastes and locations is available from two separate locations. However during a DEQ inspection on November 14, site personnel stated that the operating record database was not available for 1 ½ days prior. After the incident of November 17, the operating record was not available to identify wastes for an undisclosed period of time. Please provide information documenting the site always has access to inventory records for all wastes stored at the facility, even during a power failure or emergency situation.

Section G.4.c

Spills and leaks of hazardous waste greater than the minimum reportable quantity of releases will be reported to the IDEQ and NRC immediately as per IDAPA 58.01.05.008 [264.56(d)], not "within 24 hours" as written. Correct this statement in the second to last paragraph of the section.

Section G.4.d.(1)

CO₂ and foam are listed as fire suppression agents, yet no equipment in Table G-5 lists such equipment. Such equipment should be identified as emergency equipment in Table G-5 if it exists at the facility.

Section G.4.d.(2)

This section states response personnel may respond with foam equipment and hoses for vapor suppression yet no foam equipment or hoses are listed in Table G-5 for emergency equipment. It appears that if foam is mentioned as a suppression agent for fire/ explosions and spills, the site should have its own source of foam to control emergency situations. If not present, clearly state in the Plan that the facility relies upon outside services for these agents.

The language is unclear if "response personnel" referenced in G.4.d.(2) and members of "USEI's Response Team" in G.4.d.(1) are one and the same. If they are the same, foam equipment needs to be identified on Table G-5, if not, the Plan needs to be modified to clearly state that the facility relies upon outside services for these agents, also clarify the two are not one and the same. If using outside sources for foam or other extinguishing/suppressant agents, the effectiveness of the agent versus the response time for application needs to be considered versus having equipment on site with trained personnel.

Section G.4.h

"An inspection of all utilized emergency equipment required by this Contingency Plan will be conducted before normal operations are resumed in the affected areas. When there has been full implementation of this Contingency Plan, IDEQ will be notified that clean up and post-emergency equipment

maintenance have been performed in accordance with IDAPA 58.01.05.008[40CFR 264.56(h) and (i)] before operations are resumed in the affected areas of the facility." This notification needs to occur prior to resuming operations.

Section G.5, first paragraph

The word "typically" needs to be removed. The articles identified are relied upon by facility personnel during an emergency and must be available and operational at the time of an incident. Identifying emergency equipment is not an area where "typical" and "example" can be used, this is equipment that USEI has identified as being available at the facility.

Operational areas of the facility are primarily at outdoor ambient temperatures, describe how Emergency eyewash fountains and showers are useable when temperatures are below 32°F.

The facility routinely receives combustible metals but does not appear to have Class D fire extinguishers capable of extinguishing such fires. The facility needs to remove and not accept any future combustible metals or procure an adequate amount of Class D fire extinguishing medium to protect the facility from Class D fires.

If site water trucks are used as emergency equipment for fire emergencies, more description is needed to understand their potential use. Are the trucks dedicated for just water hauling? Do they haul hazardous wastes or flammable liquids? If so, are the units decontaminated prior to filling with potential firefighting water and how do personnel insure that the previous contents do not contribute to the emergency situation? Are the trucks always filled when not in use?

Section G.6

The written documentation required by IDAPA 58.01.05.008[40 CFR 264.52(c) and 264.37] must be in place prior to resuming operations.

At the time of an emergency it is not the time to discover "USEI's understanding with local authorities" is different than what is expected or needed. IDAPA 58.01.05.008[40 CFR 264.37(a)] states "must attempt to make ... arrangements as appropriate for the type of waste handled at the facility and potential need for services...". Section G.6 states that notification letters are sent to various emergency response agencies while Table G-7 indicates a distribution list for the Contingency Plan. Clarify if sending a "notification letter" includes a copy of the Contingency Plan sent to all on the Distribution list, if not, include a Plan with the notification letters. Explain if the "notification letter" is considered the arrangement or is there additional correspondence creating the agreement.

The arrangements must include familiarizing police, fire departments, emergency response teams and hospitals with the properties of hazardous waste handled at the facility and the types of injuries which could result from fires, explosions, or releases, IDAPA 58.01.05.008[40 CFR 264.37(a)(4)]. Since no arrangements with local hospitals are included in the Plan it is assumed that none exist. The arrangements should be expanded to identify the wastes handled and the type of injuries that could

reasonably be expected, including such wastes as acids, bases, solvents, dusts, PCBs, radioactive or other substances that may need special attention or cause concern during an emergency event.

During the November incident, outside resources (e.g., ambulance and hospital) initially refused to provide medical attention due to decontamination issues. The Facility needs to identify the causes and reasons for this refusal followed by revisions to the Plan addressing what response changes are necessary in an emergency, IDAPA 58.01.05.008[40 CFR 264.54(d)].

Section G.7

The Plan states the EC or his designee is responsible for determining which emergency situations require facility evacuation, the safest route to a rally point, and relay the information to the site personnel.

Were the evacuation routes analyzed after the incident and do they need any modification, including changes to Figure 7.

In the actions to be taken during an incident, when employees rally at an evacuation point, and a tally is taken, define what procedures are taken to account for unaccounted employees.

How will exposed individuals be decontaminated on site during a site evacuation? Will the site based showers be available? Provide response plans to different scenarios (acid/base, radioactive, PCB, etc, contamination) on how affected individuals would be transported and decontaminated.

Section G.8

Section G.8 adequately addresses the reporting requirements of IDAPA 58.01.05.008[40 CFR 264.56(i)] if the Contingency Plan is implemented but does not address the reporting requirements where USEI becomes aware of circumstances of noncompliance which may endanger health or the environment as required by IDAPA 58.01.05.0012[40 CFR 270.30(l)(6)]. Include language to comply with the verbal and written reporting requirements of IDAPA 58.01.05.0012[40 CFR 270.30(l)(6)].

Section G.9

Provide the date of the last Contingency Plan review, prior to November 17, 2018.

Provide the date of the last evacuation drill, prior to November 17, 2018.

Table G-4

Define the code for Solutions A, B, C, and D. What is the procedure for using each solution? How much does each 10 gallon solution cover or decontaminate? If these solutions are not to be used on personnel, provide decontamination solutions that are safe for human use.

Table G-5

These are not "Examples" of emergency equipment, this is USEI's list of minimum emergency equipment available during an emergency situation. Remove the word "Example" from the title line.

The description for Equipment Location of "Parked on site when not in use elsewhere" or "operational areas" does not provide a definitive location to the EC in times of emergency. A more descriptive location is required for the EC to find the equipment when it is needed in an emergency situation.

The quantity of equipment should reflect site inventory of equipment. Some quantities appear to reflect true amounts, but others appear to list one item just to satisfy a requirement, e.g, cellular phones, - 1; drum handling equipment - 1, when more are on site.

Comments about specific emergency equipment items:

Air horns: Provide more descriptive information of the air horns, at what distance can they be heard? Are these permanently mounted on a pole or hand held portable devices? What is the source of air? How long will the source last? How will the air horns be tested and/or inspected if the source is limited? How are the devices activated, and by whom? Have facility personnel been trained on the new devices?

Mobile radios: Are they certified to be intrinsically safe? How does Channel 2 or TA work differently when the transponder is not available?

Satellite Phones: Considering an event with loss of landline phone service and poor cellular phone service consideration should be given to the use of a satellite phone at the security office at the main gate.

2016 North American Emergency Response Guidebook needs to be listed and available. Provide names of other reference materials on site.

Cellular Phones: Personal cellular phones are not considered intrinsically safe and should not be used as emergency devices in flammable atmospheres. Specific conditions/procedures should be developed for safe use of cellular phones if allowed to be used throughout the facility.

ABC Fire extinguishers are not designated for Class D fires. Since Class D extinguishers are a specialized extinguishing medium, separate the Class D extinguishers from the ABC extinguishers as a separate line item.

Drum handling equipment: Break down volume by hand dollies and motorized equipment. Does this category also include the site flat bed trucks?

Empty 85 gallon drums: A facility the size of USEI with a capacity for thousands of drums, the majority of which are 55 gallon capacity, should have more than a minimum of 4 85 gallon overpacks. Increase the minimum volume to reflect a more realistic value for onsite empty 85 gallon containers.

Emergency Shower/eyewash: In an emergency, one shower is inadequate for a facility that is spread out over such a large distance with operations being conducted in multiple places. Additional emergency showers should be installed close to other areas of activity that could create a need for an emergency shower. OSHA can provide maximum distances from employee work areas to shower locations.

Showers: Showers need to be available for workers to decontaminate themselves from routine work before leaving the site at the end of their shift. Mobile change room/showers can be installed until permanent facilities can be made available.

Airline with bottle and/or Air pack (30 minute): Differentiate between air-line units and Air pack units. There should be a sufficient quantity of each for a working crew and rescue crew with backup air supplies.

Splash suits, safety glasses, butyl/neoprene/PVC gloves, full-face respirators: The quantity listed does not appear to be adequate for an emergency response that may entail multiple people and many hours to manage the situation. Increase the values to provide adequate PPE, in sizes and variety, to adequately supply a multiple person team until replacement supplies can be obtained. A facility with 50+ employees should have multiple boxes of different sizes and varieties of PPE for its employees, not just a minimum of 4 units.

Missing equipment:

275 gallon totes: The lack of totes has created a lack of options for collecting and moving liquids around the site. This should be a new required item.

Non-sparking tools: The storage of flammable liquids and gases necessitates the use of non-sparking tools when working in a potentially flammable environment. These tools should be the only hand tools being used in this environment. Quantities should be sufficient to supply workers in each area where flammables are stored or worked. Tools to be considered would be bung wrenches, sockets, picks, scrapers, shovels and trowels.

Wooden or plastic stirrers: referenced in the Plan for mixing decontamination reagents.

Containers: New and/or clean for mixing decontamination reagents. The facility needs to determine the appropriate size.

Table G-6

The quantities of Reagents on hand represent only enough for one or two batches of decontamination liquids. Increase the minimum quantities or justify how much can be decontaminated by using these quantities. Keep in mind that if quantities are consumed during an emergency event, operations cannot resume until supplies have been replenished.

Update Section F and Figure F-14 to coincide with the modifications to Section G.